



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

Legislation Text

File #: 1540-2013, **Version:** 1

BACKGROUND: One parcel currently held in the Land Bank has been approved for disposition. In order to complete the transfer, authorization is needed for the Director of the Department of Development to execute any and all agreements and deeds for conveyance of the real property. This legislation authorizes transfer of one parcel located at 29-31 N. Wheatland Ave. (010-023510) to the Highland West Neighbors Association, who will maintain the vacant parcel as a community garden under the Mow to Own program. The parcel will be transferred by deed recorded in the Official Records of the Franklin County Recorder's Office.

FISCAL IMPACT: No funding is required for this legislation. The City may first recover reimbursement of any and all expenses incurred on account of the acquisition, administration, management, maintenance and disposition of such land and such other expenses of the program as the City may apportion to such land from the sale proceeds.

EMERGENCY JUSTIFICATION: Emergency action is requested to expedite the transfer in order to reduce Land Bank maintenance costs.

To authorize the Director of the Department of Development to execute any and all necessary agreements and deeds for conveyance of title of one parcel of real property (29-31 N. Wheatland Ave.) held in the Land Bank pursuant to the Land Reutilization Program; and to declare an emergency.

WHEREAS, ordinance 1860-2008 adopted the City's Neighborhood Stabilization Program, authorized the filing of the City's Neighborhood Stabilization Program application with the United States Department of Housing and Urban Development, and made a substantial amendment to the Consolidated Plan's 2008 Action Plan; and

WHEREAS, ordinances 0234-2009 and 0136-2009 authorized the Director of the Department of Development's to expend funds and acquire properties under the Neighborhood Stabilization Program; and

WHEREAS, by Ordinance 1325-98, Council adopted and elected to use the Revised Code Chapter 5722, Land Reutilization Program, to facilitate effective reutilization of nonproductive land acquired through a sale pursuant to a foreclosure proceeding initiated by the Franklin County Treasurer, or through a sale of forfeited lands by the Franklin County Auditor, or through a conveyance in lieu of foreclosure to foster either return of such land to tax revenue generating status or its devotion to public use, or any other land acquired as part of the land reutilization program; and

WHEREAS, a proposal for the sale of the property which was acquired pursuant to Ohio Revised Code Section 5722.06 meets the Land Reutilization Program's Disposition Policies and Guiding Principles and has been approved by the Land Redevelopment Office Administrator; and

WHEREAS, in conformity with Ohio Revised Code Section 5722.07, the property will be sold at not less than fair market value, defined as the appraised value of the nonproductive land made with reference to any redevelopment and reutilization restrictions as may be imposed by the electing subdivision as a condition of sale or as may otherwise be applicable to such; therefore, competitive bidding is not required; and

WHEREAS, in order to complete the transfer of such property to the purchaser, authority is needed for the Director of the Department of Development to execute any and all necessary agreements and deeds of conveyance for the real

property; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, Land Redevelopment Office in that it is immediately necessary to convey title of said parcel of real estate to expedite the transfer in order to reduce Land Bank maintenance costs, all for the immediate preservation of the public health, peace, property, safety and welfare; and **now therefore**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of the Department of Development is hereby authorized to execute any and all necessary agreements and deeds to convey title to the following parcel of real estate to the Highland West Neighbors Association:

PARCEL NUMBER: 010-023510
ADDRESS: 29-31 N. Wheatland Ave., Columbus, Ohio 43204
PRICE: \$1,369 minus credits granted by the City under the Mow to Own Program, plus a \$38.00 recording fee
USE: Community Garden

Situated in the State of Ohio, County of Franklin and in the City of Columbus:

Being Lot № Fifteen (15) of Highland Park Subdivision of Lots Nos 17 and 18 of Plat "B" of the partition of the Estate of William S. Sullivant, deceased, of record in Complete Record 61, page 80, of the Records of the Court of Common Pleas of Franklin County, Ohio, as the same is numbered and delineated upon the recorded plat thereof of record in Plat Book № 4, page 327, Recorder's Office, Franklin County, Ohio.

Section 2. For the property stated in Section 1, that the City will credit the Buyer at the time of transfer for the value of maintenance and improvements made by the Buyer under the Mow to Own Program as specified in the Memorandum of Understanding.

Section 3. For the property stated in Section 1, that the Director of Development is hereby authorized to execute any agreement, deed restriction, or mortgage to ensure compliance with Land Bank program rules and the submitted application and to release such restriction or mortgage upon compliance.

Section 4. That for good cause shown, Section 329.29 of the Columbus City Codes, 1959, is hereby waived.

Section 5. That Council hereby finds that the selection process utilized in this matter is in accordance with the Land Bank Disposition Process created pursuant to the City's Land Reutilization Program and hereby approves the same.

Section 6. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.